

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Nolan R. Larry**  
**Ashley N. Larry**  
Debtor(s)

Bankruptcy Case No.: 16-22712-GLT  
Issued Per 12/5/2019 Proceeding  
Chapter: 13  
Docket No.: 66 – 65  
Concil. Conf.: December 5, 2019 at 09:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated November 7, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$2,312.00 as of December, 2019. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Dec. 5, 2019 at 09:00 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Claim No. 1 of Lakeview .
- ☒ H. Additional Terms: Distributions to Avid begin October 2019.

Prior distributions to Mariner Claim No. 2 were proper.

Counsel fees are based on a retainer of \$750.00

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge  
United States Bankruptcy Court

Dated: December 9, 2019

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 5**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Nolan R. Larry  
 Ashley N. Larry  
 Debtors

Case No. 16-22712-GLT  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: dbas  
 Form ID: 149

Page 1 of 2  
 Total Noticed: 31

Date Rcvd: Dec 09, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 11, 2019.

db/jdb  
 cr +Nolan R. Larry, Ashley N. Larry, 108 Jeanine Court, Trafford, PA 15085-1229  
 +Peoples Natural Gas Company LLC, 225 North Shore Drive, Attention: Barbara Rodgers,  
 Pittsburgh, PA 15212-5860  
 14302670 American Express Centurion Bank, c/o Becket and Lee LLP, PO Box 3001,  
 Malvern PA 19355-0701  
 14263200 +Amex, P.O. Box 297871, Fort Lauderdale, FL 33329-7871  
 14310220 Capital One NA, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701  
 14263203 +Chase Card, P.O. Box 15298, Wilmington, DE 19850-5298  
 14263204 +Citi, P.O. Box 6241, Sioux Falls, SD 57117-6241  
 14263207 +++FNB CONS DISC CO, 4313 WALNUT ST STE 144, MCKEESPORT PA 15132-6129  
 (address filed with court: FNB Cons Disc Co, 4313 Walnut Street, Suite 29,  
 McKeesport, PA 15132)  
 14263206 +Fed Loan Serv, P.O. Box 60610, Harrisburg, PA 17106-0610  
 14263211 +Mariner Finance, 8211 Town Center Drive, Nottingham, MD 21236-5904  
 14322962 U.S. Department of Education, c/o Fedloan Servicing, P.O. Box 69184,  
 Harrisburg, PA 17106-9184  
 14263214 +Westmoreland Federal Empl CU, 238 S. Pennsylvania Avenue, Suite 112,  
 Greensburg, PA 15601-3601

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Dec 10 2019 03:23:22  
 PRA Receivables Management LLC, POB 41067, Norfolk, VA 23541-1067  
 14263201 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Dec 10 2019 03:22:14  
 Capital One Bank USA, N.A., 15000 Capital One Drive, Richmond, VA 23238  
 14287030 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Dec 10 2019 03:22:13  
 Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083  
 14263202 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Dec 10 2019 03:22:14 Capital One/Best Buy,  
 P.O. Box 30253, Salt Lake City, UT 84130-0253  
 14301097 +E-mail/Text: bankruptcy@cavps.com Dec 10 2019 03:20:31 Cavalry SPV I, LLC,  
 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-2321  
 14263205 +E-mail/PDF: creditonebknnotifications@resurgent.com Dec 10 2019 03:23:25  
 Credit One Bank, N.A., P.O. Box 98875, Las Vegas, NV 89193-8875  
 14263208 +E-mail/Text: bncnotices@becket-lee.com Dec 10 2019 03:19:56 Kohls/Capital One,  
 N56 W 17000 Ridgewood Drive, Menomonee Falls, WI 53051-5660  
 14295990 E-mail/PDF: resurgentbknnotifications@resurgent.com Dec 10 2019 03:23:26  
 LVNV Funding, LLC its successors and assigns as, assignee of FNB, LLC,  
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587  
 14309892 E-mail/PDF: resurgentbknnotifications@resurgent.com Dec 10 2019 03:22:48  
 LVNV Funding, LLC its successors and assigns as, assignee of Citibank, N.A.,  
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587  
 14330453 E-mail/PDF: resurgentbknnotifications@resurgent.com Dec 10 2019 03:22:18  
 LVNV Funding, LLC its successors and assigns as, assignee of ACL Consumer Loan Trust IV,  
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587  
 14741971 E-mail/PDF: resurgentbknnotifications@resurgent.com Dec 10 2019 03:23:27  
 LVNV Funding, LLC its successors and assigns as, PO Box 10587,  
 Greenville, SC 29603-0587  
 14271568 E-mail/Text: camanagement@mtb.com Dec 10 2019 03:20:02 Lakeview Loan Servicing, LLC,  
 c/o M&T Bank, P.O. Box 840, Buffalo, NY 14240-0840  
 14263209 +E-mail/Text: bk@lendingclub.com Dec 10 2019 03:20:35 Lending Club Corp,  
 71 Stevenson Street, Suite 300, San Francisco, CA 94105-2985  
 14263210 E-mail/Text: camanagement@mtb.com Dec 10 2019 03:20:02 M&T Bank, 1 Fountain Plz,  
 Buffalo, NY 14203  
 14263212 +E-mail/PDF: cbp@onemainfinancial.com Dec 10 2019 03:22:45 One Main Financial,  
 P.O. Box 499, Hanover, MD 21076-0499  
 14302094 +E-mail/PDF: cbp@onemainfinancial.com Dec 10 2019 03:22:37 Onemain Financial,  
 605 Munn Road, FT Mill, SC 29715-8421  
 14401051 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Dec 10 2019 03:23:23  
 Portfolio Recovery Associates, LLC, PO Box 41067, Norfolk, VA 23541  
 14334305 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Dec 10 2019 03:22:13  
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541  
 14263213 +E-mail/PDF: gecsed@recoverycorp.com Dec 10 2019 03:22:41 Synch/Jewelry Accents,  
 c/o P.O. Box 965036, Orlando, FL 32896-0001

TOTAL: 19

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr Duquesne Light Company  
 cr Lakeview Loan Servicing, LLC

TOTALS: 2, \* 0, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

District/off: 0315-2

User: dbas  
Form ID: 149

Page 2 of 2  
Total Noticed: 31

Date Rcvd: Dec 09, 2019

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

Addresses marked '++++' were corrected as required by the USPS Locatable Address Conversion System (LACS).

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Dec 11, 2019

Signature: /s/Joseph Speetjens

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### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 9, 2019 at the address(es) listed below:

Brian J. Bleasdale on behalf of Joint Debtor Ashley N. Larry bleasdb@yahoo.com  
Brian J. Bleasdale on behalf of Debtor Nolan R. Larry bleasdb@yahoo.com  
James Warmbrodt on behalf of Creditor Lakeview Loan Servicing, LLC bkgroup@kmlawgroup.com  
Joshua I. Goldman on behalf of Creditor Lakeview Loan Servicing, LLC bkgroup@kmlawgroup.com  
Matthew John McClelland on behalf of Creditor Lakeview Loan Servicing, LLC  
bkgroup@kmlawgroup.com  
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov  
Peter J. Ashcroft on behalf of Creditor Duquesne Light Company pashcroft@bernsteinlaw.com,  
ckutch@ecf.courtdrive.com; acarr@bernsteinlaw.com  
Ronda J. Winnecour cmecf@chapter13trusteewdpa.com  
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,  
Equitablebankruptcy@peoples-gas.com; srk@sjwpgh.com

TOTAL: 9